

FILED

JUL - 8 2020

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

VS.

AARON CAMERO MARTINEZ,
aka "APOCALYPTO"

Defendant.

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SA20CR027506

INDICTMENT

Ct 1: 8 U.S.C. § 1324(a)(1)(A)(v)(I)
Conspiracy to Transport Illegal Aliens
Ct 2: 18 U.S.C. § 922(o)
Illegal Possession of a Machine Gun

THE GRAND JURY CHARGES:

COUNT ONE

[8 U.S.C. § 1324(a)(1)(A)(v)(I)]

That on or about September 6, 2019 through December 15, 2019, in the Western District of Texas, Defendant,

AARON CAMERO MARTINEZ aka "APOCALYPTO",

did knowingly and intentionally combine, conspire, confederate and agree with others, known and unknown to the Grand Jury, to commit the following offense against the United States: to transport and move, and attempt to transport and move, by means of transportation or otherwise, aliens who entered and remained in the United States in violation of law, knowing and in reckless disregard of the fact that said aliens came to, entered, and remained in the United States in violation of law, and in furtherance of such violation of law, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(v)(I).

COUNT TWO

[18 U.S.C. § 922(o)]

On or about July 5, 2019, in the Western District of Texas, Defendant,

AARON CAMERO MARTINEZ aka "APOCALYPTO",

knowingly possessed a machinegun, that is, a Radical Firearms AR-15 variant rifle capable of firing automatically more than one shot, without manual reloading, by a single function of the trigger, in violation of Title 18, United States Code, Sections 922(o) & 924(a)(2).

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE
[See Fed. R. Crim. P. 32.2]

I.

Alien Smuggling Violations and Forfeiture Statutes

[Title 8 U.S.C. §§ 1324 (a)(1)(A) & (v)(I) subject to forfeiture pursuant to Title 18 U.S.C. § 982(a)(6), and 8 U.S.C. § 1324(b), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461.

As a result of the foregoing criminal violations set forth in Count One, the United States of America gives notice to Defendant **AARON CAMERO MARTINEZ aka "APOCALYPTO**, of its intent to seek the forfeiture of certain property upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 982(a)(6) and Title 8 U.S.C. § 1324(b), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461, which state:

Title 18 U.S.C. § 982. Criminal forfeiture

(a)(6)(A) The court, in imposing sentence on a person convicted of a violation of, or conspiracy to violate, . . . the Immigration and Nationality Act . . . shall order that the person forfeit to the United States, regardless of any provision of State law -

(i) any conveyance, including any vessel, vehicle, or aircraft used in the commission of the offense of which the person is convicted; and

(ii) any property real or personal -

(I) that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the offense of which the person is convicted; or

(II) that is used to facilitate, or is intended to be used to facilitate, the commission of the offense of which the person is convicted.

Title 8 U.S.C. § 1324(b) Seizure and forfeiture

(1) In general

Any conveyance, including any vessel, vehicle, or aircraft that has been or is being used in the commission of a violation of subsection (a) of this section, the gross proceeds of such violation, and any property traceable to such conveyance or proceeds, shall be seized and subject to forfeiture.

II.

Machine Gun Violations and Forfeiture Statutes

**[Title 18 U.S.C. § 922(o), subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1),
made applicable to criminal forfeiture by Title 28 U.S.C. § 2461]**

As a result of the criminal violation set forth in Count Two, the United States of America gives notice to Defendant **AARON CAMERO MARTINEZ aka "APOCALYPTO"** of its intent to seek the forfeiture of the property described below upon conviction pursuant to FED. R. CRIM. P. 32.2 and Title 18 U.S.C. § 924, as made applicable to criminal forfeiture by 28 U.S.C. § 2461. Section 924 states in pertinent part:

Title 18 U.S.C. § 924. Penalties

(d)(1) Any firearm or ammunition involved in or used in any knowing violation of subsection . . . (o) . . . of section 922, . . . shall be subject to seizure and forfeiture . . . under the provisions of this chapter. . . .

This Notice of Demand for Forfeiture includes, but is not limited to, the following properties:


1. Diamondback Tactical, AR-15 variant rifle, SN: obliterated;
2. Glock, model 19, 9mm pistol, serial number BCWS685;
3. \$1,100 in United States Currency; and
4. Any and all firearms, ammunition, and/or accessories involved in or used in the commission of the criminal offenses.

A TRUE BILL


FOREPERSON OF THE GRAND JURY

JOHN F. BASH
UNITED STATES ATTORNEY

BY:


BRIAN NOWINSKI
Assistant United States Attorney